



MONTGOMERY COUNTY ETHICS COMMISSION
Advisory Opinion
AO 08-09-011

Section 19A-11(a)(1)(A) prohibits a public employee from participating in any matter that affects, in a manner distinct from its effect on the public generally, any property in which the public employee holds an economic interest. An employee asks whether he can participate in a matter involving the proposed relocation of a number of County facilities to land adjacent to, but outside of, the boundaries of the town where his house is located. For the reasons that follow, the Commission finds there is no violation of this section.

The County is working on a proposal to relocate a number of its facilities to two parcels of land known as Casey 6 and 7, adjacent to the southeast corner of the Town of Washington Grove. Casey 6 and 7 are not within the Town's boundaries. The employee's house is located within the Town.

The matter in this case involves property located outside the boundaries of the employee's town. There is no direct vehicular access between the Town and the proposed land for relocating the County facilities. Under these circumstances, the Commission concludes that there is no conflict and the employee may participate in the matter.¹

In reaching this decision the Commission has relied upon the facts as presented by the requester.

December 9, 2008

Antar C. Johnson, Chair

¹ As a subsidiary matter, the employee also indicates that the County has asked the Town to provide comments on the proposed relocation of the County facilities. The employee has indicated that he will not participate in any effort to speak on behalf of the Town on this matter.